

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
	)	
v	)	3:05-CR-234-A
	)	
	)	
TYRONE WHITE	)	

**ORDER ON MOTION**

Based on the recommendation of the assigned United States Probation Officer Bernard Ross, and the lack of opposition by the United States to the recommendation<sup>1</sup>, it is

**ORDERED** that *Defendant's Third Motion to Modify Terms of Release* (Doc. 88, Dec. 8, 2005) is **GRANTED** to the extent of its request that the Defendant be relieved from any "home confinement program components" which include electronic monitoring, including the *condition(t)(ii)* home detention program imposed after the detention hearing on November 22, 2005.

**All other Conditions of Release imposed on November 22 (Doc. 84) shall remain intact.**

Done this 13<sup>th</sup> day of December, 2005.

/s/ Delores R. Boyd

DELORES R. BOYD  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The court considered this matter preliminarily during the course of the pretrial conference convened with counsel on December 9; because the probation officer was then unavailable for testimony, the court took the motion under advisement with the parties' consent that the motion be decided without hearing after the court's confirmation of the probation officer's recommendation. The court spoke with the probation officer initially on December 9 and received his final recommendation by telephone on December 13.